

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MATTHEW WHITTEN,

Plaintiff,

vs.

CITY OF OMAHA, a political subdivision;  
et. al;

Defendants.

**8:15CV96**

**ORDER**

Plaintiff has moved to remove the undersigned magistrate judge from this case, citing 28 U.S.C. § 636(c), and stating he “DECLINES to have a United States Magistrate Judge conduct all further proceedings in this case.” (Filing No. 20). He requests “that this case be reassigned to a United States District Judge in order to resolve the plaintiff’s Objection to the Magistrate’s Report, Recommendations, and Order.” (Filing No. 20).

This case is already assigned to a district judge. The undersigned magistrate judge has entered non-dispositive orders, and a finding and recommendation on a case dispositive issue. For such matters, Plaintiff’s consent is unnecessary under 28 U.S.C. § 636(c). And plaintiff has presented no basis for recusal.

Accordingly,

IT IS ORDERED that Plaintiff’s Motion to Reassign Case to United States District Court Judge, (Filing No. 20), is denied.

December 10, 2015.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge